

CASE LA0046a CIP-1

CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent via facsimile to the Assistant Commissioner for Patents, Washington, D.C. 20231 at facsimile number (703) 746-5317.

Burton Rodney  
Type or print name

*Burton Rodney*  
Signature

February 4, 2003  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1614

BETH ANNE PIPER

Examiner: R. Cook

APPLICATION NO: 09/460,920

FILED: DECEMBER 14, 1999

FOR: METHOD FOR TREATING DIABETES

Assistant Commissioner for Patents  
Washington, D.C. 20231

SECOND SUPPLEMENTARY AMENDMENT

Sir:

This Amendment supplements the Amendment filed November 14, 2002 in response to the Office Action mailed July 16, 2002.

Please amend Claim 58 to read as follows:

12-58. (Amended) A method for first line treatment of type 2 diabetes, in a drug naïve human patient, which comprises administering to a drug naïve human patient in need of treatment, as first line therapy, a low dose of a combination of metformin and glyburide wherein the starting daily dosage is 250 mg metformin and 1.25 mg glyburide where the glyburide has a particle size distribution so that at most 10% of the particles of glyburide are less than 2  $\mu$ m and at most 10% of the particles of glyburide are greater than 60  $\mu$ m. --